

FAYETTE COUNTY COMMISSION  
OCTOBER 5<sup>th</sup>, 2015  
SPECIAL SESSION  
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, John H. Lopez, Matthew D. Wender

The Fayette County Commission met in a special session on this 5<sup>th</sup> day of October, 2015.

President Scalph called the meeting to order at 9:02 a.m.

Discussion was held on retaining counsel and payment terms.

Prosecuting Attorney Larry Harrah has been communicating with Mountain State Justice (MSJ). Dan Hedges has represented cases like this with public education. MSJ agreed to represent Fayette County against whoever the defendant will be.

The Commission will cover expenses, not to exceed \$5,000.00. The Fayette County Commission will not be the only plaintiffs in this lawsuit.

The Commission has an interest in this case by way of property values.

Commissioner Wender read a statement on behalf of the Commission.

(Attached.)

Commissioner Wender motioned to retain MSJ as counsel and consider entering as plaintiff and guarantee up to \$5,000.00 for expenses to the lawyers. Commissioner Lopez seconded. Unanimous decision

The meeting adjourned at 9:26 a.m.